

Decision Notice

Maroon Bells - Snowmass Wilderness Overnight Visitor Use Management Plan

USDA Forest Service

Aspen-Sopris Ranger District, White River National Forest
Gunnison Ranger District, Grand Mesa Uncompahgre and Gunnison National Forest
Pitkin and Gunnison Counties, Colorado

Decision and Reasons for the Decision

I have decided to implement Alternative 2, which is the proposed action in the Environmental Assessment (EA) to adopt the Maroon Bells-Snowmass Wilderness Overnight Visitor Use Management Plan (Plan). The Plan sets comprehensive management direction for overnight visitor use for the Wilderness, and balances the preservation of natural conditions while continuing to provide opportunities for primitive and unconfined recreation opportunities. My decision is to adopt the Plan, with one modification in response to public and Forest specialists' comments. My decision is based on several years of monitoring data, extensive inventories, public comments received, and analysis presented in the EA. This analysis demonstrates the need for action to protect the natural resources of the Wilderness from degradation resulting from overnight use.

In response to concerns raised during the public comment periods, the Plan was modified to clarify the adaptive management strategy related to displacement of overnight visitors (Plan, page 37). The modification addresses expected displacement of overnight visitors and associated resource impacts when people seek camping opportunities in non-permitted zones directly adjacent to zones that have gone to a limited entry overnight permit. When implementation of a limited entry overnight permit system in one zone is expected to displace overnight visitors to an adjacent travel corridor zone and cause negative resource impacts, a limited entry overnight permit system may also be implemented in the adjacent zone to improve the effectiveness of the overnight permit system.

The modification further supports the intent of adaptive management, an iterative process of informed decision making with the purpose of preserving or restoring desired conditions as stated in the VUM Plan and the White River National Forest Plan.

The EA analyzed monitoring and inventory data from 2011 to present which revealed that five camping zones within the proposed Plan have been exceeding the Groups At One Time (overnight use capacity) threshold over the last five years. Those zones are: Capitol Lake, Crater, Conundrum Hot Springs, Maroon, and Snowmass Lake. Implementation of the above 5 zones and effected adjacent zones will be phased in as shown below.

My decision is to implement management actions in phases:

- Phase 1 – Implement a reservation system for limited entry overnight permits starting with Conundrum Hot Springs zone, followed by the adjacent Conundrum Creek zone.
- Phase 2 – Implement a reservation system for limited entry overnight permits for the Four Pass Loop, which is comprised of the following zones; Crater, Maroon, Snowmass Lake, North Fork, East Fork, and Upper Snowmass zones.

- Phase 3 – Implement a reservation system for limited entry overnight permits for the Capital Lake zone and adjacent Lower Capital zone.

The Forest Service will implement management actions utilizing a variety of tools based on legal authorities, feasibility, technical logistics and Forest Service resources. The reservation system used to allocate overnight camping capacity per zone would include a fee for the reservation transaction. Upon this decision, the Forest Service will likely pursue authorization through the Federal Land Recreation Enhancement Act (FLREA) to charge an additional fee for overnight permits. The permit fees collected would be retained by the Aspen-Sopris Ranger District and reinvested into the Maroon Bells-Snowmass Wilderness in the form of natural resource restoration projects, education, outreach, and resource monitoring. A separate public process is required for any new or increased FLREA fees.

Background

The Maroon Bells-Snowmass Wilderness comprises a surface area of 181,535 acres in central Colorado and is managed jointly by the White River National Forest (WRNF) and Grand Mesa, Uncompahgre and Gunnison National Forest (GMUG). The Wilderness contains nine trailed passes over 12,000 feet and seven peaks over 14,000 feet, and has been known for decades to contain one of the most iconic and picturesque mountain ranges in the country.

Increasing overnight visitor use within the Wilderness has been documented as a management concern since 1986. In certain locations (e.g., Conundrum Hot Springs, Crater Lake, and the Four Pass Loop) and high use travel corridors, use increased up to 285% from 2006 to 2015. The impacts associated with this significant increase in overnight use are magnified by the relatively short use season and narrow geographic user preferences.

In response to natural resource degradation issues and management challenges, the Forest Service proposed an Overnight Visitor Use Management Plan (Plan) for the Wilderness. The Plan seeks to preserve natural conditions in the Wilderness by addressing biophysical impacts resulting from overnight use while continuing to provide opportunities for primitive and unconfined recreation. The Forest Service prepared an Environmental Assessment (EA) that addresses and discloses anticipated environmental effects of implementing the Plan. The EA analyzes the effects of two alternatives: The no-action alternative (Alternative 1) and the proposed action (Alternative 2).

Alternative 1 (No Action)

Under the no-action alternative, current management would continue in the Wilderness. Overnight camping would continue to occur without any GAOT or campsite limitation. The Forest Service would continue to monitor and manage overnight use through the existing required overnight registration, education and enforcement tools. Population growth, increased visitation, and associated trends and resource damage to the area's natural and undeveloped qualities would likely continue.

Alternative 2 (Proposed Action and Selected Alternative)

The proposed action, described in detail in the Plan, is to adaptively manage overnight use in the Wilderness for the reduction of biophysical damage and to preserve opportunities for Wilderness experiences and related socioeconomic benefits in conformance with Wilderness Act direction and the Land and Resource Management Plan (LRMP).

The Plan translates LRMP standards and guidelines into measurable indicators and thresholds for camping zones for the entire Wilderness. The Plan adds a new indicator, *Groups At One Time* (GAOT), per camping zone. This indicator is needed specifically to address and manage biophysical impacts of overnight use. The Plan defines how many GAOT can camp overnight per Wilderness zone (Plan, Table 6). The allocation reflects the total number of campsites by zone that meet LRMP desired conditions (EA, Appendix 2). If the GAOT threshold is exceeded, management actions and/or a mandatory overnight use permit system would then be triggered to retain or restore the desired conditions of the Wilderness (Plan, Tables 6-9). As previously described in this document, a limited entry permit system may also be implemented in zones that have not yet exceeded GAOT thresholds if displacement is likely to occur from adjacent zones that have already triggered a limited entry overnight permit system by exceeding GAOT thresholds.

Management actions may be implemented operationally or through a Forest Service Special Order without further analysis in an effort to retain or return to the desired conditions. The management actions would be phased in from least restrictive to more restrictive following the “minimum tool” intent of Wilderness stewardship. Management actions include a suite of educational tools (e.g., increased signing, media, volunteers, ranger patrols, etc.) engineering actions (e.g., restoration activities) and administrative actions (e.g., restrictions, closures, regulations). If the action fails to restore desired conditions, more restrictive management actions may be phased in until no threshold is exceeded. The Plan is data driven and requires long term monitoring of selected indicators for the Wilderness. All regulatory management actions, including a limited entry permit system, would be in effect year round.

Rationale

I have selected Alternative 2, the proposed action, to adopt the Maroon Bells-Snowmass Wilderness Overnight Visitor Use Management Plan. When compared with Alternative 1, the no-action alternative, Alternative 2 best meets the purpose and need to provide management direction and use an adaptive management strategy to address overnight camping and natural resource degradation issues within the Wilderness.

Public Involvement

The Forest Service consulted federal, state, tribal, and local agencies, as well as private interested parties for years prior to and during the development of the Environmental Assessment (EA). A Notice of Proposed Action (NOPA) was sent to interested individuals, organizations, and agencies on November 2, 2016. A legal notice was published in the newspaper of record, Glenwood Post Independent, on November 3, 2016. Public scoping lasted 30 days during which time the Forest Service received 292 comments on the NOPA. A second comment period was initiated on March 29, 2017 and lasted for 30 days; the Forest Service received 22 comments on the draft Environmental Assessment and Overnight Visitor Use Management Plan. Public meetings and open houses were held on November 15 and April 5 (Basalt), and on April 6 (Gunnison). These opportunities for public involvement helped the Forest Service to refine the Plan to address issues regarding visitor displacement to lower use zones and travel corridors, escalating management actions to address resource degradation, and big game hunting. The public involvement process also identified opportunities to collaborate with other agencies to monitor effects outside the Wilderness boundary, such as trailhead parking issues and downstream water quality.

Finding of No Significant Impact

As the deciding official, I am responsible for evaluating the effects of the project relative to the definition of significance established by the CEQ Regulations (40 CFR 1508.13). I have reviewed and considered the EA and documentation included in the project record, and I have determined that the proposed action will not have a significant effect on the quality of the human environment. As a result, no environmental impact statement will be prepared. I base my finding on the following:

Context

The significance of an action must be analyzed in several contexts and varies with the setting. In the case of a site-specific action, significance usually depends on the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant (40 CFR § 1508.27).

The environmental effects of this project are analyzed at varying scales (e.g. Maroon Bells-Snowmass Wilderness, the Roaring Fork Valley, etc.) as described for each resource in the EA and in the project record. I have reviewed the cumulative effects of past management combined with this project and reasonably foreseeable activities as they are analyzed in the effect sections and feel that the context of this proposal is limited to the land in and adjacent to the proposed activity locations. The analysis indicates that project design and application of Forest Plan standards and guidelines and best management practices would minimize negative impacts to all resources. Given the localized nature of impacts described in the EA, the project would have no measurable effects at the regional or national levels and therefore consideration of significance will focus on the local setting.

Intensity

Intensity is a measure of the severity, extent, or quantity of effects, and is based on information from the effects analysis of this EA and the references in the project record. The effects of this project have been appropriately and thoroughly considered with an analysis that is responsive to concerns and issues raised by the public and forest service specialists. The Forest Service has taken a hard look at the environmental effects using relevant scientific information and knowledge of site-specific conditions gained from field visits. My finding of no significant impact is based on the context of the project and intensity of effects using the ten factors identified in 40 CFR 1508.27(b).

1. Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.

As described in the effects section (EA, pages 10 to 25) and project record, there are likely to be beneficial effects, but very little adverse effects to certain resources from taking the actions outlined in the proposed action. In reaching my finding of no significant impact, I did not ignore or trivialize negative effects by "offsetting" them with beneficial effects. The EA demonstrates that, due to careful project design that incorporates protective measures (Forest Plan standards and guidelines and conservation practices), the possible negative effects are relatively minor, and are not directly, indirectly, or cumulatively significant. I find that the beneficial effects do not meet a threshold for significance either.

2. The degree to which the proposed action affects public health or safety.

As discussed throughout this EA and its appendices, there would be no significant adverse effects to public health and safety because of the project design.

3. Unique characteristics of the geographic area such as the proximity to historical or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

There are no park lands, prime farmlands, research natural areas, or wild and scenic rivers in or near the project area, and therefore none would be affected by this project. The interdisciplinary team identified areas and special features to be protected. The cultural resources would not be adversely affected by the selected

alternative (the proposed action). As a result, the EA clearly demonstrates there will be no significant effects to any of these resources.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

In the context of the National Environmental Policy Act, controversy refers to a substantial dispute in the scientific community regarding the effects of an action, not social opposition. Our contacts with the U.S. Fish and Wildlife Service and Colorado Parks and Wildlife did not identify any scientific controversy regarding the direct, indirect, or cumulative effects of this project. The interdisciplinary team for this project considered scientific research, including the preparation of a Biological Assessment of federally listed species and a Biological Evaluation of Forest Service sensitive species, to determine its applicability to the project and found no controversy related to the predicted effects. Based on these factors, and the analysis provided in the EA and project record, I have concluded that the effects of the selected alternative, on the quality of the human environment are not controversial.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The effects of this project are within the range anticipated in the White River National Forest Plan Final Environmental Impact Statement (FEIS) Record of Decision. The effects analyses in this EA demonstrate that the effects and subsequent use are not uncertain or significant and do not involve unique or unknown risks. The body of knowledge gained through years of project-level and programmatic monitoring, wildlife surveys, and professional experience provides a basis for the effects analysis in this EA and supports my determination that there will be no highly uncertain effects or unique or unknown risks associated with this project.

6. The degree to which the action may establish precedent for future actions with significant effects or represents a decision in principle about a future consideration.

This is not a precedent-setting decision. Similar projects have occurred for across the region. The effects of implementing the selected alternative were disclosed in the effects section of this EA and the project record, and are within the range of effects of similar actions. They also are within the range of effects disclosed in the Forest Plan FEIS, which analyzed the effects of wilderness management at a larger scale. The implementation of the selected alternative does not make a commitment to do anything in other areas on the White River National Forest or any other national forest. It would not set a regional or national precedent. For these reasons, I have determined this action does not establish a precedent for future actions with significant impacts.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

The effects sections of this EA disclose the combined effects of this project with other past, present, and reasonably foreseeable future actions. None of the actions included in selected alternative would create significant impacts alone or when considered with other actions. The interdisciplinary team carefully considered cumulative effects analysis areas and timeframes that would most thoroughly examine and predict effects. Based on the analysis in this EA and incorporating by reference the range of effects predicted in the Forest Plan FEIS, I have determined that implementing the selected alternative will not result in significant cumulative effects.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

The project would result in no effect to historic properties because the activities are designed to reduce human impacts on the Wilderness. I find that this decision will not adversely affect any cultural or historical resources.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

The biological assessment (BA) determination for this project is a "No Affect" for the all species listed as Threatened under the Endangered Species Act with potential to occur in the Wilderness.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

As described in the EA and in the project record, the selected alternative fully complies with the requirements of the National Environmental Policy Act, Clean Water Act, Endangered Species Act, National Historic Preservation Act, and the National Forest Management Act. It is consistent with the Forest Plan for the White River National Forest and complies with Executive Order 12898 (Environmental Justice). All applicable laws for the protection of the environment are incorporated into the standards and guidelines in the White River National Forest Plan. The selected alternative complies with the Forest Plan, as described above in the Rationale for the decision, and in the EA. I find that none of the actions in this decision threaten to violate applicable Federal, State, or local laws or other requirements to protect the environment.

Opportunity to Object to the Proposed Project

The Maroon Bells –Snowmass Wilderness Overnight Visitor Use Management Plan Environmental Assessment is subject to the objection process pursuant to 36 CFR 218, subparts A and B. The Objection Reviewing Officer is Brian Ferebee, Regional forester. The objection period was initiated by a legal notice in the Glenwood Post Independent on June 29th, 2017. Three objections were received during the 45 day objection period.

As a result of the objections, during the objection resolution process it was agreed that three clarification points needed to be addressed. The three clarification points were addressed in the plan and include the following; 1) The number of nights visitors would be allowed to camp in a particular zone if a permit system is triggered; 2) The number of people allowed to camp overnight per site or group in a particular zone if a permit system is triggered; and 3) The time period a permit would be required in a particular zone if a permit system is triggered. The three clarification points were addressed in the MBSW Overnight Visitor Use Management Plan, dated October, 2017, Chapter 5, page 40.

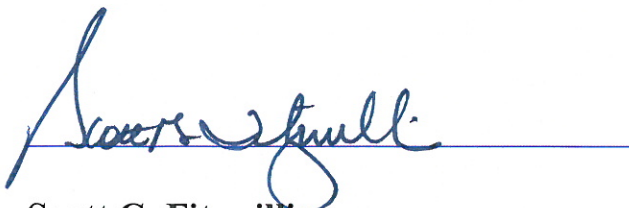
In summary, once a zone has triggered a limited use permit system it will be required year round and the "length of stay" and "group size" for that zone will be determined by the plan's desired conditions (including the zone's capacity) and monitoring data for that specific zone. See the MBSW VUM plan for more detailed information.

Implementation

This project can be implemented immediately after the decision is signed.

Contact

For additional information concerning this decision, contact Karen Schroyer, Aspen-Sopris Ranger District, White River National Forest, 620 Main Street, Carbondale, Colorado 81623, (970) 404- 3157 or kschroyer@fs.fed.us The EA can be found at the White River National Forest website at: <https://www.fs.usda.gov/project/?project=49388>.



Scott G. Fitzwilliams
Forest Supervisor, White River National Forest

November 1, 2017

Date

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, office, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found [online](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

